

Hearing Aid Compatible Telephones  
WT Docket No. 01-309  
RM-8658

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Collectively referred to as "Bluegrass Cellular"

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Bluegrass Cellular seeks to avail itself of the temporary relief granted to TDMA carriers through September 18, 2006, as set forth in *Order on Reconsideration and Further Notice of Proposed Rulemaking*, WT Docket No. 01-309, FCC 05-122, released June 21, 2005, and codified in amended FCC Rule Section 20.19(c)(2)(i). Bluegrass Cellular is eligible for TDMA relief because it is conducting a complete overbuild of its entire TDMA network and will complete the overbuild by September 18, 2006. Bluegrass Cellular offers five hearing aid-compatible handset models to customers that receive service from the overbuilt (*i.e.*, CDMA) portion of the network, and Bluegrass Cellular makes available in each retail store it owns or operates these handset models for consumers to test in the store.

(1) Digital wireless phones tested: Bluegrass Cellular operates a CDMA system as well as a legacy TDMA system. Bluegrass Cellular acquires wireless telephone handsets manufactured by Nokia, Motorola, Kyocera, Audiovox and LG (collectively, "Vendors"). Bluegrass Cellular obtains from Nokia a set of two hearing aid compatible (HAC) handsets rated M3 under standard ANSI C63.19-2005 ("Compliant Phones"). Bluegrass Cellular also obtains a set of three Compliant Phones from Motorola. The model numbers tested are Nokia 6019 and 6255, and Motorola V262, V265 and V710. All operate on the CDMA system. Vendors of TDMA handsets are not offering any Compliant Phones.

(2) Laboratory used: Bluegrass Cellular does not conduct the laboratory testing of handset devices for compliance with the ANSI C63.19 standard. Bluegrass Cellular relies upon its Vendors to conduct testing and to confirm the compliance of each specific handset device.

(3) Test results for each phone tested: The Compliant Phones deployed by Bluegrass Cellular have tested positively for M3 compliance.

(4) Identification of compliant phone models and ratings according to ANSI C63.19: Of the handsets offered by Bluegrass Cellular, Nokia model 6019 and 6255, and Motorola models V262, V265 and V710, are rated M3 under standard ANSI C63.19-2005.

(5) Status of product labeling: Bluegrass Cellular typically relies upon its Vendors to label all products prior to their shipment to Bluegrass Cellular's retail locations. The Compliant Phones offered by Bluegrass Cellular contain M3 product labeling and additional information.

(6) Outreach efforts: Now that Compliant Phones have become available they will be publicly identified for consumers and audiologists. Bluegrass Cellular's Compliant Phones are listed on Bluegrass Cellular's web site, and the information is available to consumer groups. Bluegrass Cellular trains its retail salespeople regarding which of the digital wireless phones offered are Compliant Phones. Written materials, pamphlets and other promotional literature are provided at the point of sale, addressing the needs of individuals with hearing disabilities. Bluegrass Cellular conducts a consumer education program aimed at reaching hearing aid and cochlear implant users. Consumers are given a 30-day trial period within which to try out the digital wireless phone to determine whether they will work properly with their hearing aids. Flexible exchange and return policies apply to consumers seeking to obtain a Compliant Phone. Toward this end, Bluegrass Cellular has specifically instructed its sales force to make this policy known to consumers, and to assure that the flexible policy is administered to HAC phone users. Additionally, Bluegrass Cellular conducts outreach activities toward audiologists and hearing aid dispensers who are in a position to inform hearing aid users in advance concerning the immunity of their hearing aids and the degree of likelihood that they will be able to use particular digital wireless phones and services. Current technical and anecdotal information is made available to the public regarding the hearing aid

compatibility of Bluegrass Cellular's Compliant Phones in the form of handouts from Nokia and Motorola that are distributed at retail centers and in all communications with the hearing disabilities community.

(7) Retail availability of compliant phones: The Compliant Phones offered by Bluegrass Cellular are presently available in Bluegrass Cellular's retail outlets.

(8) Incorporation of hearing aid compatibility features into newer models of digital wireless phones: Bluegrass Cellular is in contact with its Vendors with regard to their incorporation of HAC features into future CDMA phones. Bluegrass Cellular is following its Vendors' efforts to provide additional new handsets that will be hearing aid-compatible. Bluegrass Cellular plans to add to its assortment of Compliant Phones as new models achieve M3 and M3T ratings.

(9) Activities related to ANSI C63.19 or other standards work intended to promote compliance with the FCC Order: Bluegrass Cellular is aware that its Vendors are undertaking to comply with the FCC's requirements to provide Compliant Phones. Bluegrass Cellular is ready and willing to offer new or additional compliant devices to interested customers, and will encourage its Vendors to expedite the availability of advanced handset devices, including handsets rated M3T under standard ANSI C63.19-2005.

(10) Number of compliant and non-compliant phone models offered at this time: Bluegrass Cellular's core assortment presently includes thirteen models of cellular CDMA handsets. Five of these are Compliant Phones. Bluegrass Cellular no longer offers any TDMA handset models.

(11) Differences in handset offerings among regions in service areas, if any: There are no differences in handset offerings among regions in Bluegrass Cellular's service area. Bluegrass Cellular's handset offerings are presently consistent in all markets.

(12) Ongoing efforts for interoperability testing with hearing aid devices: Bluegrass Cellular will rely mainly upon its Vendors to conduct interoperability testing of Compliant Phones, and will provide to consumers information about those efforts upon request.